

The Times.

THE TIMES COMPANY.

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RICHMOND, VA.

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WEDNESDAY, NOVEMBER 28, 1900.

THE JURY SYSTEM.

A bill will be introduced in the Tennessee Legislature to change the present law for the selection of jurors. It directs the two circuit and criminal judges to appoint three jury commissioners, not more than two of whom shall belong to the same political party. The commissioners are strictly sworn to secrecy and to perform all their duties, and among other things that they will not place the name of any person on the jury list known to be unfit, or who has solicited, or had others to solicit, that his name be placed thereon. These commissioners are to select from the tax-payers of the county and from other sources the names of upright and intelligent men, known for their integrity, fair character and sound judgment, of each district in the county, in proportion to the population of such district, as nearly as may be, selecting not less than one-fifth the number of votes cast in the county for Presidential electors, which list shall constitute the jury list for two years from the making thereof. Each name is to be written on a slip of paper and place in a box, locked and sealed and not to be opened, except in the presence of the commissioners.

Not less than ten nor more than fifteen days before each regular or special term of the Circuit or Criminal Courts, the box is to be opened by the commissioners, and, after having been well shaken, the commissioners will cause to be drawn therefrom, in the presence of the board, by a child under ten years of age, a number of names equal to the number of jurors who, under existing laws, are selected by the County Court to constitute the regular panel of grand and petit jurors for the ensuing term. A written report of the selection thus made is to be made by the commissioners to the presiding judge. From this list the grand and petit jurors shall be made up as now provided by law. In the case a jury cannot be made up from the names thus selected, the clerk of the court is to produce in open court the jury box, out of which is to be taken by a child a number to constitute the jury. If additional jurors are to be selected their names are to be selected from the box in the same way, thereby abolishing the old principle of summoning bystanders.

We take this outline of the bill from a communication in the Memphis Commercial-Appeal, and commend it to our readers. The jury system of this country is excellent, provided only proper care be exercised in the selection of jurors. There is no better way under the sun of ascertaining the facts in any case at law than by having the evidence brought out before a jury of twelve honest and intelligent men. As a rule, wherever justice has miscarried, it has usually been due to the fact that the members of the jury, or some of them, were either incompetent, cowardly, dishonest or prejudiced. It is the duty of every good citizen to do jury service, and it is the duty of the Government to have the very best men in the community on juries selected to try important cases. If only that course is pursued our jury system will be as nearly perfect as human institutions can be, and there will be little cause for complaint on the score of "miscarriage of justice."

MCKINLEY'S OPPORTUNITY.

President McKinley has been praised by newspapers on both sides for the speech that he made to the Union League of Philadelphia last Saturday night. It was broad and statesmanlike, and his acknowledgment of the services rendered by the independent voters of the country was timely and generous. It is to be hoped that the President will catch an inspiration from these same voters, not only from independent Democrats who refused to support Bryan, but from independent Republicans as well, who refused to support McKinley. These voters, whether Democrats or Republicans, determined to vote as they thought for the best interests of the republic, regardless of their past party affiliation. They put country above party and refused to be led by the nose for the sake of party regularity.

Mr. McKinley has an opportunity now to

endeavor himself to the people of this country and to make a great record. He is an honest man, he is a man of generous impulses, he is a conscientious man, he possesses many of the qualities and qualifications of a statesman. But Mr. McKinley has one grave fault. He has deflected too much to the leaders of the Republican party. He has permitted Mark Hanna and other leading Republicans to influence him and to turn him away from a course of conduct which he had mapped out for himself.

We do not mean to say that the President ought to have turned his back on his party associates. He was elected to the high position which he occupies by the Republican party, and he was and is under a certain obligation to his party. He ought to help his party in every legitimate way, and he ought to advise with the party men in any course of action affecting the interests of the party. We think that Mr. Cleveland was at fault just here. We think that he was too indifferent to the interests of the party which elected him, and that he failed, in many instances, to show proper deference to the views of the party leaders. But while conceding that President McKinley owes a duty to his party, we insist that he owes a greater duty to the country. He is not the President of the Republican party, but of the United States, and it is his solemn and sacred duty to see that the interests of the whole United States, so far as his power lies, are protected and promoted.

Mr. McKinley is now rounding up his public career. It is reasonable to suppose that if he lives out his term he will go into retirement, and his highest ambition should be to make an honorable record. We are at peace with the world and the country is prosperous, but there are some difficult problems to be solved. We have the Philippine Islands on our hands and we are reading out into the East for trade. If we would protect our interests in the East and at the same time avoid complications and entanglements with foreign Powers, we must be as wise as serpents and as harmless as doves. In dealing with these questions Mr. McKinley should have an eye single to the interests of the United States, and he should not permit any question of mere party policy to stand between him and his plain duty. Our trade interests are great and they are to be considered, but of greater importance are the republic and the institutions which were given to us by the fathers. Mr. McKinley is the guardian, to a great extent, of these institutions, and the people look to him to protect them at all hazard and sacrifice. It was loudly proclaimed during the late campaign that if he should be elected the republic would be overthrown and an empire set up. Let it be Mr. McKinley's great aim to protect that republic, and in retiring from office give it back to the people in all its purity and integrity.

"It is a great thing," said he, in his Philadelphia speech, "to have the confidence of the people; it is a greater thing to obscure and hold it." Even so.

THEY DO NOT SEEK CONTROL.

On Sunday last we published letters that have been written by Editor Norman E. Mack, of Buffalo, New York, and Senators James H. Berry and B. R. Tillman, upon the future of the Democratic party.

Those who left their party or voted against its candidates should, and no doubt will, find warm welcome here, its folds, and it ought, in my judgment, to be entirely possible for them to find congenial place in its councils; but I do not think that they should return with the expectation of directing the party policy and action to the exclusion of the regular who have remained faithful to the regular organization. I take it that this is the position of many, if not all, of those who suggest "reorganization," for any other idea would seem to me likely to produce further discord and greater party disaster than the improved condition of party unity.

We do not know any Democrats who refused to vote for Bryan in 1896 or in 1900 who wish to be put into control of the Democratic party. The men who quitted the party in those two elections did so from impulses and motives far beyond any considerations relating to control of parties in holding offices. They are men who have certain fixed principles of government bred into them as parts of their very being and they refused to go with their party in those two elections because they believed their party had deserted and turned its back upon those principles, and they left it before they would do anything inconsistent with those ideas and theories that were parts of their very being.

What these men want is to see the Democratic party cut itself loose from Populism and the tenets of anarchy that it permitted Altheid and his followers to bring into it and return to those elementary and simple propositions of plain justice that Thomas Jefferson and Andrew Jackson commended to their fellow citizens. If the party will only do this, the seceding Democrats will again take their place in ranks, asking for nothing but the privilege of casting their votes for a Democratic platform, and be good citizens who believe in the tenets of Democracy, and who will do all in their power to have this government conducted upon those principles.

Then seceding Democrats are not office-seekers. No doubt there are many among them who indulge a laudable ambition to wear the honors of their country when those honors come to them properly, but the great body of them are the plain citizens of the country who are attending to their own affairs, and who would not have public office if it were offered to them.

As was remarked by the Louisville Courier-Journal in the extract from that paper that we printed yesterday, these are the men who will hereafter control the elections. They believe in certain elementary principles of justice and they expect the political party that they act with to shape its actions in conformity with those principles. If it will not do so, they will vote with the opposing party or will not vote at all.

The two last elections ought to have taught the leaders of the Democratic party the truth of what we here say, and, if it has not, they will remain out of power forever. Steam and electricity inform all of the people now at the very moment it happens of every event that pertains to their well being, and with the facts before them, the people think for themselves and make up their own minds, and the party managers who do not take this great and all controlling fact with consideration will "get left."

The anti-Castellane injunction may have a depressing effect on the foreign-titled American-heiress matrimonial market.

Chairman Stewart, of the Prohibition National Committee, in stating that the fight in 1901 will be full of spirits, probably refers to the fight on the other side.

The will of Charles H. Hoyt, the playwright, seems to have been based upon the you-tickle-me-and-I-tickle-you principle.

Now that everything has quieted down, the Hon. T. Reed has been located. He was seen to peep shyly in upon the Ways and Means Committee the other day, but, through force of habit acquired during the campaign, did not articulate.

Sir Thomas Lipton, with his corner on pork, might increase the value of his stock by forming a partnership with George H. Phillips, who got a corner on corn.

It is entirely appropriate that the annual convention of fraternities should be held in Philadelphia, the City of Brotherly Love.

Miss Zimmerman, the American heiress, went over to England and gobbled up a real live title, and now Papa Zimmerman will have to "cough up" the coin in consequence.

The Parisians are going to give Oom Paul Kruger a fete champagne with all the trimmings, just to see what the English will say about it.

The announcement that the English paper, Punch, recently made some humorous references is joke enough in itself.

The leaders of the labor troubles in Tampa explain the fact that the printers' union is the only one at work there on the ground that it was a typographical error.

Some of the curios in a Boston museum are pronounced forgeries. They are probably the "only official souvenirs."

The very kind and considerate announcement comes from the Cuban Convention that the United States Government need have no serious fear of any action of that body against this country. Thanks, Senators! The President can now rest more easily.

The many efforts to smoke Mr. W. J. Bryan out on the future of the party seem to be out of place. His former predictions were not very accurate, and his experience enables him to give better information about the past than the future.

It is reported that insurrectionists in Colombia seized a ship laden with sugar. This was sweet revenge.

If these heavy storms continue we might start a sinking fund for mariners.

If the maladies of the Czar and Li Hung Chang both prove fatal the Powers will probably have to throw away all the official correspondence for the past month or two and commence all over again. Problem: "When will they untangle the knot?"

The anti-vice mill in New York is still grinding away, but very little chaff has come out so far.

A remedy has been found for the fellow who flim-flammed the Richmond doctors, but it was not prescribed by the victims.

The savages in East Africa have followed the example set by the civilized nations, and are now trying to exterminate each other.

Just to let the English know they are still living the French had a little scrap with the Boxers.

have so greatly increased in number in the last few years, "it would seem that they have proved profitable."

ATTEMPTED MATH.

Edward Whymper, the famous mountain climber of the Royal Geographical Society, of London, has arrived at Vancouver.

He proposes to ascend all the notable mountain peaks on the Pacific coast, including Mount Baker and the Lions of Vancouver.

Governor Sayers, of Texas, is said to have contributed to the Galveston Relief Fund more money in proportion to his private means than any other person interested; but his gifts were distributed secretly, and were not publicly acknowledged.

There is a movement on foot in Boston for the erection of a monument to Edgar Allan Poe, to be put up in the Public Garden, which adjoin the historic Commons.

Wayne McVeagh says there is no foundation for the rumor that he will enter the Cabinet as the successor to Attorney-General Griggs.

Queen Victoria's sight is now so bad that she is allowed to do no reading and a regular reader is therefore employed to read to her for an hour or two every day.

The Czar of Russia is said to have personally expressed a great admiration for Tolstoy and his work, though the latter's political and religious opinions naturally do not permit him to make his admiration public.

When Age Comes On.

When age comes on, in empty years to be, Shall I recall old sins remorsefully.

My very soul for yielding to a thing That pleads to the wayward youth of me? Or, gazing through dead years, shall old eyes see Delights passed by in life's delicious dream?

Joys dreamed, not done, and mourn, remembering, When ages comes on?

Oh, golden youth, swift, glorious and free, Choose from the stores at either hand of thee.

What though ye pay in coinage of regret The sad, mad deeds thy heart may not forget.

Shall haunt thee like dim strains of melody.

When ages comes on.—John Winwood in the Smart Set.

A Drawback to Amity

Judge—Well, Mrs. Jopp, what fault have you to find with your husband?

Judge—None, except that he is this way: He's a sweet good old kind, but he's a pesky unfeeling—Detroit Free Press.

Necessary Restrictions.

"Did you reprimand the typewriter girl for her pert remarks to the book-keeper?"

"Yes, I gave her to understand that she couldn't be impudent to anybody in this office except the proprietor."—Chicago Record.

Full of Water.

"How do you feel now?" asked his rescuers.

"Like a Jersey trout," gasped the half-drowned man, faintly.

FRESH GOSSIP FROM RICHMOND

Mme. Sara Bernhardt Given an Ovation by Large Audience.

MISS KEARNY TO BE A NUN.

Man Arrested for Building Fire Under Horses to Make Them Move—Society Surprised by Announcement of Secret Marriage.

NEW YORK, November 27.—The production of "L'Aiglon," a veritable Garden Theatre for Mme. Sara Bernhardt, table triumph for Mme. Bernhardt, Kostand. The theatre held an audience that crowded the building to the very roof.

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Tutt's Pills

Cure All Liver Ills.

A Clear Head; good digestion and a ripe age are some of the results of the use of Tutt's Liver Pills.

An Established Fact

An absolute cure for sick headache, malaria, sour stomach, constipation, dyspepsia, biliousness and kindred diseases.

TUTT'S LIVER PILLS

For acceptable ideas. State if patented. THE PATENT RECORD, Baltimore, Md.

Lines upon the International Navigation Company for serving quail at sea on the ships of the American line, and also had a fine \$100 for selling the birds.

Mr. Shields told the magistrate how he and a friend had called for and consumed four quail at Mr. Rector's establishment on February 8th last, though February is a month during which it is a misdemeanor even to be found with quail in one's possession.

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IMPORTANT LOCAL OPTION DECISION

Can Ship Liquor by Express From Another Place.

JUDGE JNO. W. BROCKENBROUGH

A Movement to Honor a Noted Journalist's Memory by a Portrait and Tablet—James Turner Shoots Himself With His Rifle.

(Special Dispatch to The Times.)

LEXINGTON, Va., Nov. 27.—Decisions were rendered to-day by Justices J. W. Lindsay and J. M. Senseney, of Lexington, in the cases tried before them last week for violations of the local option liquor laws. The grand jury purchased County Court of Rockbridge indicted the Stanton firm of Wholey & Murphy and O'Connell & Hogshead for selling liquor in Lexington a local option district.

The liquor was shipped here by express. C. O. D. and the money was paid here. The transaction was considered illegal.

At the trial Colonel Robert Catlett Commonwealth's Attorney for Rockbridge appeared for the Commonwealth, and A. C. Gordon, of Staunton, for the accused.

QUESTIONS OF LAW.

The only question involved was the law in the case. The decision recited that after a careful examination of all the authorities practical, the justices were of the opinion that the local option law of this Commonwealth, which places business on liquor from a place in which he has no license, and fills it by selecting the liquor from his stock and delivering it to an express company, or other carrier, to be delivered to the purchaser, does not violate the local option law, although the carrier agrees to collect and return the price.

The cases were, therefore, dismissed, and the defendants discharged.

A movement has been started among the friends and admirers of the late Judge John W. Brockenbrough to raise a fund sufficient to place a portrait and memorial tablet of the distinguished jurist in Tucker Memorial Hall, at Washington and Lee University. Judge Brockenbrough was the founder of the University law school, and for many years was one of its distinguished instructors. The promoters of the movement are: Hon. J. M. Senseney, Judge W. P. Houston, and Mr. W. G. McDonald, with Hon. John L. Campbell as treasurer of the fund.

James Turner, in attempting suicide, shot himself with a rifle. The ball entered at the right ear, but started towards the right shoulder, and did not penetrate the lung. Domestic troubles, it is alleged, is the cause of the tragedy. Turner is married, and has a family of children. His home is on Buffalo, not far from Lexington.

CAPE HENRY FORT.

Large Appropriation Asked by General Miles.

Nearly \$1,000,000 is asked by General Nelson A. Miles, commanding the United States army, for fortifications on the coast of Virginia.

General Miles in his annual report, which has just been given out, recommends that the estimated \$1,000,000 be expended on the fortifications at Cape Henry, to cooperate with Fort Monroe. The sum stated is the estimate for the next year, and in this it is known that the purchase price of certain lands at the Cape by the Government is included. Just how much more will be devoted to preliminaries there in the next year is not known. It will take several years to complete the work which the engineer department of the army has in contemplation.

It is a project of great interest to Norfolk. It means that eventually there will be a military station at Cape Henry, equal in strength to Fort Monroe, as a protection to Washington, Annapolis and Baltimore. This will need to be constructed at Old Point, and should the Government decide to construct a breakwater and make a harbor at the mouth of Lynnhaven Bay, it would soon become one of the most important coaling stations and foreign shipping ports on the Atlantic coast.

Development at Cape Henry are great.—Norfolk Journal of Commerce.

King Humbert's Fortune.

The late King Humbert has left a very handsome patrimony, which is estimated at from \$1,000,000 to \$2,000,000.

King Humbert put aside at least \$200,000 a year from his civil list, the greater part of which he spent in acquiring vast estates in the neighborhood of Rome and Monza.

The estates are the best cultivated in Italy, for the King was an agriculturist of the first order. His private domain at Monza can compare with the finest in the world.

The King's office in passing the hottest months of the year in Monza (which has the hottest summer climate of any town in Italy) was to devote himself to the care of his model farm.

To Relieve a Cough.

A sudden and worrying attack of coughing often needs immediate attention, especially in consumptives and those chronically ill. In an emergency, that ever-proved remedy, hot water, will often prove very effective. It is much better than any ordinary cough mixture, which disorders the digestion and spoils the appetite. Water, the digestion and the appetite, when the paroxysms come on. A cough resulting from irritation of the throat is relieved by hot water through the promotion of secretion which moistens the irritated surface. Hot water also promotes expectoration, and so relieves the dry cough.

New Bank in Virginia.

The Treasury Bulletin, just issued, shows that since the passage of the currency bill by the last session of Congress, no National banks have been established in Virginia. They are as follows:

Rockingham National Bank, of Harrisonburg.

Conway, Gordon and Garnett National Bank, of Fredericksburg.

Lincoln National Bank, of Irvington.

Second National Bank, of Covington.

National Bank, of Orange.

Shenandoah National Bank, of Woodstock.

American National Bank, of Orange.

Cutler National Bank.

The combined capitalization of these institutions is \$400,000.

While this may seem a small showing, the statement of the Treasury Department shows that Virginia, in the organization of banks, has done very well, with similar institutions in other States of the South.